

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

KEVIN M. USELMAN,

Plaintiff,

Case No. 11-CV-3626 (PJS/JJG)

v.

BRUCE RISER, GREG SMITH,
SCOTT YOZAMP, SANDRA O'HARA,
and JOHN C. PENTLAND,

Defendants.

**ORDER ON REPORT
AND RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiff's application for leave to proceed in forma pauperis, (Docket No. 2), is **DENIED**;
2. This action is **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1);
3. Plaintiff is required to pay the unpaid balance of the Court filing fee, namely the full \$350, in accordance with 28 U.S.C. § 1915(b)(2); and
4. The dismissal of this action shall be counted as a "strike" against Plaintiff for purposes of 28 U.S.C. § 1915(g).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 11, 2012

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge